

ASSEMBLY BILL

No. 2723

Introduced by Assembly Member Blumenfield

February 19, 2010

An act to amend Section 130201 of the Health and Safety Code, relating to public health.

LEGISLATIVE COUNSEL'S DIGEST

AB 2723, as introduced, Blumenfield. Medical information: integrity.

Existing law establishes the Office of Health Information Integrity within the California Health and Human Services Agency to ensure the enforcement of state law mandating confidentiality of medical information, as defined, and to impose administrative fines for the unauthorized use of medical information.

This bill would specify that the term “medical information” for these purposes includes personal health records and individually identifiable information.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 130201 of the Health and Safety Code
- 2 is amended to read:
- 3 130201. For purposes of this division, the following definitions
- 4 apply:
- 5 (a) “Director” means the Director of the Office of Health
- 6 Information Integrity.

1 (b) “Medical information” means the term as defined in
2 subdivision (g) of Section 56.05 of the Civil Code. *“Medical*
3 *information” includes, but is not necessarily limited to, “personal*
4 *health records” and “individually identifiable information” as*
5 *those terms are used in Section 56.05 of the Civil Code.*

6 (c) “Office” means the Office of Health Information Integrity.

7 (d) “Provider of health care” means the term as defined in
8 subdivision (j) of Section 56.05 and Section 56.06 of the Civil
9 Code.

10 (e) “Unauthorized access” means the inappropriate review or
11 viewing of patient medical information without a direct need for
12 diagnosis, treatment, or other lawful use as permitted by the
13 Confidentiality of Medical Information Act (Part 2.6 (commencing
14 with Section 56) of Division 1 of the Civil Code) or by other
15 statutes or regulations governing the lawful access, use, or
16 disclosure of medical information.